

REMARKS

The present application contains claims 1-16, 31 and 34-35.

Applicants have amended claims 1-3, 12, 31, 34 and 35 to better define the embodiments of the present invention commensurate with the support of the specification. No new matter has been introduced by way of the amendment.

Double Patenting Rejection

The Examiner has provisionally rejected claims 1-16, 31, 34 and 35 as claiming the same invention as that of claims 1-21, 23-34 and 45-49 of co-pending Application No. 09/987,905.

For reasons set out in the previous response filed on June 18, 2007, Applicants respectfully disagree.

However, in order to expedite the prosecution of the present application, Applicants file a Terminal Disclaimer concurrently with the response.

Withdrawal of the double patenting rejection is therefore respectfully requested.

Rejection under 35 U.S.C. § 101

The Examiner has rejected claims 1-16, 31, 34 and 35 as being directed towards non-statutory subject matter.

In response, Applicants have amended claims 1 and 31 to recite: "... recorded on a computer readable medium or executed in a computer processor ..." and claims 34 and 35 to recite "recorded on a computer readable medium."

Claims 1 and 34 have been amended to recite "representing."

Applicants note that a data structure, such as a business model or a dimensional framework, recorded on a computer readable medium defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory (MPEP 2106.01(I)).

Withdrawal of the rejection under 35 U.S.C. § 101 is therefore respectfully requested.

Rejection under 35 U.S.C. § 112

The Examiner has further rejected claims 1-16, 31, 34 and 35 as being indefinite. Applicants respectfully request reconsideration of this rejection.

As discussed above under the heading Rejection under 35 U.S.C. § 101, amended claims 1-16, 31, 34 and 35 now include features which define structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized.

Therefore, Applicants submit that claims 1-16, 31, 34 and 35 are now definite.

Withdrawal of the rejection under 35 U.S.C. § 112 is therefore respectfully requested.

Conclusion

It is submitted that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the


outstanding Office Action and, as such, the present application is in condition for allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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